

Introduced by Senator Galgiani
(Principal coauthor: Assembly Member Lackey)

January 26, 2015

An act to amend Sections 11357.5 and 11375.5 of the Health and Safety Code, relating to controlled substances, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 139, as introduced, Galgiani. Controlled substances.

Existing law makes it a misdemeanor to sell, dispense, distribute, furnish, administer, or give, or offer to sell, dispense, distribute, furnish, administer, or give, or possess for sale, any synthetic stimulant compound or any specified synthetic stimulant derivative. Existing law also makes it a misdemeanor to sell, dispense, distribute, furnish, administer, or give, or offer to sell, dispense, distribute, furnish, administer, or give, or possess for sale, any synthetic cannabinoid compound or any synthetic cannabinoid derivative. Existing law, beginning January 1, 2016, makes it an infraction to use or possess those drugs.

This bill would expand the definition of a synthetic stimulant compound and a synthetic cannabinoid for purposes of existing law. The bill would provide that a first offense of using or possessing those substances is punishable as an infraction, a 2nd offense is punishable as an infraction or a misdemeanor, and a 3rd or subsequent offense is punishable as a misdemeanor. By expanding the scope of existing crimes and by increasing the penalty for existing crimes, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11357.5 of the Health and Safety Code,
2 as added by Section 2 of Chapter 372 of the Statutes of 2014, is
3 amended to read:

4 11357.5. (a) Every person who sells, dispenses, distributes,
5 furnishes, administers, or gives, or offers to sell, dispense,
6 distribute, furnish, administer, or give, or possesses for sale any
7 synthetic cannabinoid compound, or any synthetic cannabinoid
8 derivative, to any person, is guilty of a misdemeanor, punishable
9 by imprisonment in a county jail not to exceed six months, or by
10 a fine not to exceed one thousand dollars (\$1,000), or by both that
11 fine and imprisonment.

12 (b) Every person who uses or possesses any synthetic
13 cannabinoid compound, or any synthetic cannabinoid derivative,
14 is guilty of ~~an infraction, punishable by a fine not to exceed two~~
15 ~~hundred fifty dollars (\$250).~~ *a public offense, punishable as*
16 *follows:*

17 (1) *A first offense is an infraction punishable by a fine not*
18 *exceeding two hundred fifty dollars (\$250).*

19 (2) *A second offense is an infraction punishable by a fine not*
20 *exceeding two hundred fifty dollars (\$250) or a misdemeanor*
21 *punishable by imprisonment in a county jail not exceeding six*
22 *months, a fine not exceeding five hundred dollars (\$500), or by*
23 *both that fine and imprisonment.*

24 (3) *A third or subsequent offense is a misdemeanor punishable*
25 *by imprisonment in a county jail not exceeding six months, or by*
26 *a fine not exceeding one thousand dollars (\$1,000), or by both*
27 *that fine and imprisonment.*

(c) As used in this section, the term “synthetic cannabinoid compound” refers to any of the following substances:

- (1) 1-pentyl-3-(1-naphthoyl)indole (JWH-018);
- (2) 1-butyl-3-(1-naphthoyl)indole (JWH-073);
- (3) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);
- (4) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP-47,497);
- (5) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (cannabicyclohexanol; CP-47,497 C8 homologue).

(d) This section shall become operative on January 1, 2016.

(1) Adamantoylindoles or adamantoylindazoles, which includes adamantyl carboxamide indoles and adamantyl carboxamide indazoles, or any compound structurally derived from 3-(1-adamantoyl)indole, 3-(1-adamantoyl)indazole, 3-(2-adamantoyl)indole, N-(1-adamantyl)-1H-indole-3-carboxamide, or N-(1-adamantyl)-1H-indazole-3-carboxamide by substitution at the nitrogen atom of the indole or indazole ring with alkyl, haloalkyl, alkenyl, cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole or indazole ring to any extent and whether or not substituted in the adamantyl ring to any extent, including, but not limited to, 2NE1, 5F-AKB-48, AB-001, AKB-48, AM-1248, JWH-018 adamantyl carboxamide, STS-135.

(2) Benzoylindoles, which includes any compound structurally derived from a 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring with alkyl, haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, or (tetrahydropyran-4-yl)methyl group, whether or not further substituted in the indole ring to any extent and whether or not substituted in the phenyl ring to any extent, including, but not limited to, AM-630, AM-661, AM-679, AM-694, AM-1241, AM-2233, RCS-4, WIN 48,098 (Pravadoline).

1 (3) Cyclohexylphenols, which includes any compound
2 structurally derived from 2-(3-hydroxycyclohexyl)phenol by
3 substitution at the 5-position of the phenolic ring by alkyl,
4 haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl,
5 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
6 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl,
7 1-(N-methyl-3-morpholinyl)methyl, or
8 (tetrahydropyran-4-yl)methyl group, whether or not further
9 substituted in the cyclohexyl ring to any extent, including, but not
10 limited to, CP 47,497, CP 55,490, CP 55,940, CP 56,667,
11 cannabicyclohexanol.

12 (4) Cyclopropanoylindoles, which includes any compound
13 structurally derived from 3-(cyclopropylmethanoyl)indole,
14 3-(cyclopropylmethanone)indole, 3-(cyclobutylmethanone)indole
15 or 3-(cyclopentylmethanone)indole by substitution at the nitrogen
16 atom of the indole ring, whether or not further substituted in the
17 indole ring to any extent, whether or not substituted on the
18 cyclopropyl, cyclobutyl, or cyclopentyl rings to any extent.

19 (5) Naphthoylindoles, which includes any compound structurally
20 derived from 3-(1-naphthoyl)indole or
21 1H-indol-3-yl-(1-naphthyl)methane by substitution at the nitrogen
22 atom of the indole ring by alkyl, haloalkyl, cyanoalkyl,
23 hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
24 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl group,
25 1-(N-methyl-2-pyrrolidinyl)methyl, or
26 1-(N-methyl-3-morpholinyl)methyl, or
27 (tetrahydropyran-4-yl)methyl group, whether or not further
28 substituted in the naphthyl ring to any extent, including, but not
29 limited to, AM-678, AM-1220, AM-1221, AM-1235, AM-2201,
30 AM-2232, EAM-2201, JWH-004, JWH-007, JWH-009, JWH-011,
31 JWH-015, JWH-016, JWH-018, JWH-019, JWH-020, JWH-022,
32 JWH-046, JWH-047, JWH-048, JWH-049, JWH-050, JWH-070,
33 JWH-071, JWH-072, JWH-073, JWH-076, JWH-079, JWH-080,
34 JWH-081, JWH-082, JWH-094, JWH-096, JWH-098, JWH-116,
35 JWH-120, JWH-122, JWH-148, JWH-149, JWH-164, JWH-166,
36 JWH-180, JWH-181, JWH-182, JWH-189, JWH-193, JWH-198,
37 JWH-200, JWH-210, JWH-211, JWH-212, JWH-213, JWH-234,
38 JWH-235, JWH-236, JWH-239, JWH-240, JWH-241, JWH-242,
39 JWH-258, JWH-262, JWH-386, JWH-387, JWH-394, JWH-395,

1 JWH-397, JWH-398, JWH-399, JWH-400, JWH-412, JWH-413,
2 JWH-414, JWH-415, JWH-424, MAM-2201, WIN 55,212.

3 (6) Naphthoynaphthalenes, which includes any compound
4 structurally derived from naphthalene-1-yl-(naphthalene-1-yl)
5 methanone with substitutions on either of the naphthalene rings
6 to any extent, including, but not limited to, CB-13.

7 (7) Naphthoypyrroles, which includes any compound
8 structurally derived from 3-(1-naphthoyl)pyrrole by substitution
9 at the nitrogen atom of the pyrrole ring by alkyl, haloalkyl,
10 cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl,
11 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
12 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl,
13 1-(N-methyl-3-morpholinyl)methyl, or
14 (tetrahydropyran-4-yl)methyl group, whether or not further
15 substituted in the pyrrole ring to any extent and whether or not
16 substituted in the naphthyl ring to any extent, including, but not
17 limited to, JWH-030, JWH-031, JWH-145, JWH-146, JWH-147,
18 JWH-150, JWH-156, JWH-243, JWH-244, JWH-245, JWH-246,
19 JWH-292, JWH-293, JWH-307, JWH-308, JWH-309, JWH-346,
20 JWH-348, JWH-363, JWH-364, JWH-365, JWH-367, JWH-368,
21 JWH-369, JWH-370, JWH-371, JWH-373, JWH-392.

22 (8) Naphthylmethylindenenes, which includes any compound
23 containing a naphthylideneindene structure or which is structurally
24 derived from 1-(1-naphthylmethyl)indene with substitution at the
25 3-position of the indene ring by alkyl, haloalkyl, cyanoalkyl,
26 hydroxyalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
27 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, or
28 1-(N-methyl-2-pyrrolidinyl)methyl,
29 1-(N-methyl-3-morpholinyl)methyl, or
30 (tetrahydropyran-4-yl)methyl group, whether or not further
31 substituted in the indene ring to any extent and whether or not
32 substituted in the naphthyl ring to any extent, including, but not
33 limited to, JWH-171, JWH-176, JWH-220.

34 (9) Naphthylmethylindoles, which includes any compound
35 structurally derived from an H-indol-3-yl-(1-naphthyl) methane
36 by substitution at the nitrogen atom of the indole ring by alkyl,
37 haloalkyl, cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl,
38 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
39 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl,
40 1-(N-methyl-3-morpholinyl)methyl, or

1 (tetrahydropyran-4-yl)methyl group, whether or not further
2 substituted in the indole ring to any extent and whether or not
3 substituted in the naphthyl ring to any extent, including, but not
4 limited to, JWH-175, JWH-184, JWH-185, JWH-192, JWH-194,
5 JWH-195, JWH-196, JWH-197, JWH-199.

6 (10) Phenylacetylindoles, which includes any compound
7 structurally derived from 3-phenylacetylindole by substitution at
8 the nitrogen atom of the indole ring with alkyl, haloalkyl,
9 cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl,
10 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,
11 2-(4-morpholinyl)ethyl, or 1-(N-methyl-2-pyrrolidinyl)methyl,
12 1-(N-methyl-3-morpholinyl)methyl, or
13 (tetrahydropyran-4-yl)methyl group, whether or not further
14 substituted in the indole ring to any extent and whether or not
15 substituted in the phenyl ring to any extent, including, but not
16 limited to, cannabipiperidiethanone, JWH-167, JWH-201,
17 JWH-202, JWH-203, JWH-204, JWH-205, JWH-206, JWH-207,
18 JWH-208, JWH-209, JWH-237, JWH-248, JWH-249, JWH-250,
19 JWH-251, JWH-253, JWH-302, JWH-303, JWH-304, JWH-305,
20 JWH-306, JWH-311, JWH-312, JWH-313, JWH-314, JWH-315,
21 JWH-316, RCS-8.

22 (11) Quinolinyndolecarboxylates, which includes any
23 compound structurally derived from
24 quinolin-8-yl-1H-indole-3-carboxylate by substitution at the
25 nitrogen atom of the indole ring with alkyl, haloalkyl, benzyl,
26 halobenzyl, alkenyl, haloalkenyl, alkoxy, cyanoalkyl, hydroxyalkyl,
27 cycloalkylmethyl, cycloalkylethyl, (N-methylpiperidin-2-yl)alkyl,
28 (4-tetrahydropyran)alkyl, or 2-(4-morpholinyl)alkyl, whether or
29 not further substituted in the indole ring to any extent, whether or
30 not substituted in the quinoline ring to any extent, including, but
31 not limited to, BB-22, 5-Fluoro-PB-22, PB-22.

32 (12) Tetramethylcyclopropanoylindoles, which includes any
33 compound structurally derived from
34 3-tetramethylcyclopropanoylindole,
35 3-(1-tetramethylcyclopropyl)indole,
36 3-(2,2,3,3-tetramethylcyclopropyl)indole or
37 3-(2,2,3,3-tetramethylcyclopropylcarbonyl)indole with substitution
38 at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
39 cyanoalkyl, hydroxyalkyl, alkenyl, cycloalkylmethyl,
40 cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl,

1 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl,
 2 1-(N-methyl-3-morpholinyl)methyl, or
 3 (tetrahydropyran-4-yl)methyl group whether or not further
 4 substituted in the indole ring to any extent and whether or not
 5 substituted in the tetramethylcyclopropanoyl ring to any extent,
 6 including, but not limited to, 5-bromo-UR-144, 5-chloro-UR-144,
 7 5-fluoro-UR-144, A-796,260, A-834,735, AB-034, UR-144, XLR11.
 8 (13) Tetramethylcyclopropane-thiazole carboxamides, which
 9 includes any compound structurally derived from
 10 2,2,3,3-tetramethyl-N-(thiazol-2-ylidene)cyclopropanecarboxamide
 11 by substitution at the nitrogen atom of the thiazole ring by alkyl,
 12 haloalkyl, benzyl, halobenzyl, alkenyl, haloalkenyl, alkoxy,
 13 cyanoalkyl, hydroxyalkyl, cycloalkylmethyl, cycloalkylethyl,
 14 (N-methylpiperidin-2-yl)alkyl, (4-tetrahydropyran)alkyl, or
 15 2-(4-morpholinyl)alkyl, whether or not further substituted in the
 16 thiazole ring to any extent, whether or not substituted in the
 17 tetramethylcyclopropyl ring to any extent, including, but not limited
 18 to, A-836,339.
 19 (14) Unclassified synthetic cannabinoids, which includes all of
 20 the following:
 21 (A) AM-087, (6aR,10aR)-3-(2-methyl-6-bromohex-2-yl)-6,6,9-
 22 trimethyl-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol.
 23 (B) AM-356, methanandamide, including (5Z,8Z,11Z,14Z)-N-
 24 [(1R)-2-hydroxy-1-methylethyl]icosa-5,8,11,14-tetraenamide and
 25 arachidonyl-1'-hydroxy-2'-propylamide.
 26 (C) AM-411, (6aR,10aR)-3-(1-adamantyl)-6,6,9-trimethyl-
 27 6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol.
 28 (D) AM-855, (4aR,12bR)-8-hexyl-2,5,5-trimethyl-
 29 1,4,4a,8,9,10,11,12b-octahydronaphtho[3,2-c]isochromen-12-ol.
 30 (E) AM-905, (6aR,9R,10aR)-3-[(E)-hept-1-enyl]-9-(hydrox
 31 ymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-hexahydroben
 32 zo[c]chromen-1-ol.
 33 (F) AM-906, (6aR,9R,10aR)-3-[(Z)-hept-1-enyl]-9-(hydrox
 34 ymethyl)-6,6-dimethyl-6a,7,8,9,10,10a-hexahydroben
 35 zo[c]chromen-1-ol.
 36 (G) AM-2389, (6aR,9R,10aR)-3-(1-hexyl-cyclobut-1-yl)-
 37 6a,7,8,9,10,10a-hexahydro-6,6-dimethyl-6H-dibenzo[b,d]pyran-
 38 1,9 diol.
 39 (H) BAY 38-7271, (-)-(R)-3-(2-Hydroxymethylindanyl-4-
 40 oxy)phenyl-4,4,4-trifluorobutyl-1-sulfonate.

- 1 (I) CP 50,556-1, Levonantradol, including 9-hydroxy-6-methyl-
2 3-[5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenan-
3 thridin-1-yl]acetate; [(6S,6aR,9R, 10aR)-9-hydroxy-6-methyl-3-
4 [(2R)-5-phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahy-
5 drophenanthridin-1-yl]acetate; and [9-hydroxy-6-methyl-3-[5-
6 phenylpentan-2-yl]oxy-5,6,6a,7,8,9,10,10a-octahydrophenan-
7 thridin-1-yl]acetate.
- 8 (J) HU-210, including (6aR,10aR)-9-(hydroxymethyl)-6,6-
9 dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]
10 chromen-1-ol; [(6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-
11 methyl octan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol
12 and 1,1-Dimethylheptyl-11-hydroxytetrahydrocannabinol.
- 13 (K) HU-211, Dexanabinol, including (6aS, 10aS)-9-(hydrox-
14 ymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-
15 tetrahydrobenzo[c]chromen-1-ol and (6aS, 10aS)-9-(hydrox-
16 ymethyl)-6,6-dimethyl- 3-(2-methyloctan-2-yl)-6a,7,10,10a-
17 tetrahydrobenzo[c]chromen-1-ol.
- 18 (L) HU-243, 3-dimethylheptyl-11-hydroxyhexahydrocannabinol.
- 19 (M) HU-308, [(91R,2R,5R)-2-[2,6-dimethoxy-4-(2-methyloctan-
20 2-yl)phenyl]-7,7-dimethyl-4-bicyclo[3.1.1]hept-3-enyl]methanol.
- 21 (N) HU-331, 3-hydroxy-2-[(1R,6R)-3-methyl-6-(1-
22 methylethenyl)-2-cyclohexen-1-yl]-5-pentyl-2,5-cyclohexadiene-
23 1,4-dione.
- 24 (O) HU-336, (6aR,10aR)-6,6,9-trimethyl-3-pentyl-6a,7,10,10a-
25 tetrahydro-1H-benzo[c]chromene-1,4(6H)-dione.
- 26 (P) JTE-907, N-(benzol[1,3]dioxol-5-ylmethyl)-7-methoxy-2-
27 oxo-8-pentyloxy-1,2-dihydroquinoline-3-carboxamide.
- 28 (Q) JWH-051, ((6aR,10aR)-6,6-dimethyl-3-(2-methyloctan-2-
29 yl)-6a,7,10,10a-tetrahydrobenzo[c]chromen-9-yl)methanol.
- 30 (R) JWH-057 (6aR,10aR)-3-(1,1-dimethylheptyl)-6a,7,10,10a-
31 tetrahydro-6,6,9-trimethyl-6H-Dibenzo[b,d]pyran.
- 32 (S) JWH-133 (6aR,10aR)-3-(1,1-Dimethylbutyl)-6a,7,10,10a-
33 tetrahydro -6,6,9-trimethyl-6H-dibenzo[b,d]pyran.
- 34 (T) JWH-359, (6aR,10aR)- 1-methoxy- 6,6,9-trimethyl- 3-[(2R)-
35 1,1,2-trimethylbutyl]- 6a,7,10,10a-tetrahydrobenzo[c]chromene.
- 36 (U) URB-597 [3-(3-carbamoylphenyl)phenyl]-N-cyclohexylcar-
37 bamate.
- 38 (V) URB-602 [1,1'-Biphenyl]-3-yl-carbamic acid, cyclohexyl
39 ester; OR cyclohexyl [1,1'-biphenyl]-3-ylcarbamate.

(W) URB-754 6-methyl-2-[(4-methylphenyl)amino]-4H-3,1-benzoxazin-4-one.

(X) URB-937 3'-carbamoyl-6-hydroxy-[1,1'-biphenyl]-3-yl cyclohexylcarbamate.

(Y) WIN 55,212-2, including (R)-(+)-[2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone and [2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[(1,2,3-de)-1,4-benzoxazin-6-yl]-1-naphthalenylmethanone.

SEC. 2. Section 11375.5 of the Health and Safety Code, as added by Section 4 of Chapter 372 of the Statutes of 2014, is amended to read:

11375.5. (a) Every person who sells, dispenses, distributes, furnishes, administers, or gives, or offers to sell, dispense, distribute, furnish, administer, or give, any synthetic stimulant compound specified in subdivision (c), or any synthetic stimulant derivative, to any person, or who possesses that compound or derivative for sale, is guilty of a misdemeanor, punishable by imprisonment in a county jail not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or by both that fine and imprisonment.

(b) Every person who uses or possesses any synthetic stimulant compound specified in subdivision (c), or any synthetic stimulant derivative, is guilty of ~~an infraction, punishable by a fine not to exceed two hundred fifty dollars (\$250).~~ a public offense punishable as follows:

(1) A first offense is an infraction punishable by a fine not exceeding two hundred fifty dollars (\$250).

(2) A second offense is an infraction punishable by a fine not exceeding two hundred fifty dollars (\$250) or a misdemeanor punishable by imprisonment in a county jail not exceeding six months, a fine not exceeding five hundred dollars (\$500), or by both that fine and imprisonment.

(3) A third or subsequent offense is a misdemeanor punishable by imprisonment in a county jail not exceeding six months, or by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment.

(c) Unless specifically excepted, or contained within a pharmaceutical product approved by the United States Food and Drug Administration, or unless listed in another schedule,

subdivisions (a) and (b) apply to any material, compound, mixture, or preparation which contains any quantity of ~~the following substances having a stimulant effect on the central nervous system;~~ *a substance*, including its salts, isomers, esters, or ethers, and salts of isomers, esters, or ethers whenever the existence of such salts, isomers, esters, or ethers, and salts of isomers, esters, or ethers is ~~possible within any of the following specific chemical designations:~~ *possible, that is structurally derived from 2-amino-1-phenyl-1-propanone by modification in one of the following ways:*

(1) ~~Naphthylpyrovalerone whether or not further substituted in the naphthyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl, or halide substituents, whether or not further substituted in the naphthyl ring by one or more other univalent substituents, or whether or not further substituted in the carbon chain at the 3-, 4-, or 5-position with an alkyl substituent.~~

(2) ~~2-amino-1-phenyl-1-propanone (cathinone) or variation in any of the following ways:~~

(A) ~~By substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl, or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents.~~

(B) ~~By substitution at the 3-position with an alkyl substituent.~~

(C) ~~By substitution at the nitrogen atom with alkyl, dialkyl, or benzyl groups, or by inclusion of the nitrogen atom in a cyclic structure.~~

(1) *By substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl, or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents.*

(2) *By substitution at the 3-position with an alkyl substituent.*

(3) *By substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.*

(d) This section shall not prohibit prosecution under any other provision of law.

~~(e) This section shall become operative on January 1, 2016.~~

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or

1 infraction, eliminates a crime or infraction, or changes the penalty
2 for a crime or infraction, within the meaning of Section 17556 of
3 the Government Code, or changes the definition of a crime within
4 the meaning of Section 6 of Article XIII B of the California
5 Constitution.

6 SEC. 4. This act is an urgency statute necessary for the
7 immediate preservation of the public peace, health, or safety within
8 the meaning of Article IV of the Constitution and shall go into
9 immediate effect. The facts constituting the necessity are:

10 In order to prevent any harm that may be caused by the controlled
11 substances described in this act at the earliest possible time, it is
12 necessary that this act take effect immediately.

13
14
15 CORRECTIONS: _____

16 Text—Pages 3, 4, 7 and 8.
17 _____